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**Patent and Trademark Office**

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/190,993    11/12/98    PALTENGHE    C    CITI0094-US

LM02/0302

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EXAMINER

HAYES, J

ART UNIT

PAPER NUMBER

2761

DATE MAILED:

03/02/00

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

## Office Action Summary

Application No.

09/190,993

Applicant(s)

PALTENGHE ET AL.

Examiner

John W Hayes

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

### Status

- 1) ☒ Responsive to communication(s) filed on 12 November 1998.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some \* c) ☐ None of the CERTIFIED copies of the priority documents have been:
1. ☐ received.
  2. ☐ received in Application No. (Series Code / Serial Number) \_\_\_\_\_.
  3. ☐ received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

### Attachment(s)

- 14) ☒ Notice of References Cited (PTO-892)
- 15) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 16) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4,5.
- 17) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.
- 18) ☐ Notice of Informal Patent Application (PTO-152)
- 19) ☐ Other: \_\_\_\_\_.

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## DETAILED ACTION

### *Drawings*

1. The drawings filed on 12 November 1998 are acceptable subject to correction of the informalities indicated on the attached "Notice of Draftperson's Patent Drawing Review," PTO-948. In order to avoid abandonment of this application, correction is required.
2. Applicant is required to submit a proposed drawing correction in reply to this Office action. However, formal correction of the noted defect can be deferred until the application is allowed by the examiner.

### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-~~12~~<sup>11</sup> are rejected under 35 U.S.C. 102(b) as being anticipated by *Williams et al*, U.S. Patent. No. 6,016,484.

YKZ  
2/28/2000

As per claim 1, *Williams et al* discloses a virtual wallet system comprising a locally residing wallet portion, an external server residing wallet portion and an interface between the locally residing wallet portion and the external server residing portion (Figure 1B and Col. 11 lines 35-67).

As per claims 2-7, *Williams et al* discloses wherein the wallet includes payment mechanisms such as bank account information, electronic currency, credit card and debit card information (Col. 15, lines 32-49); identity authentication mechanisms such as personal identification information and authentication information including certificates (Col. 15, lines 32-67 and Col. 37 lines 45-63); and wherein personal information comprises name and address information (Figures 15 and 29).

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As per claim 8, *Williams et al* discloses a virtual wallet system wherein the electronic artifacts include loyalty programs and coupons (Col. 19, lines 50-55).

As per claim 9, *Williams et al* discloses a system for electronic commerce utilizing the virtual wallet of claim 1 (Figures 2-4; Col. 14, lines 26-62 and Col. 18, lines 46-57).

As per claim 10, *Williams et al* discloses wherein the interface permits transfer of data between the locally residing wallet portion and the external server residing portion (Figures 1B and 2; and Col. 11, lines 35-56).

As per claim 11, *Williams et al* discloses wherein the external server residing portion includes a mirror of information contained on the locally residing wallet portion (Col. 11, lines 35-56).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Williams et al*, U.S. Patent No. 6,016,484 in view of *Biffar*, U.S. Patent No. 5,903,880.

As per claims 12 and 13, *Williams et al* fails to specifically disclose wherein the external server residing portion includes applications and the locally residing wallet portion comprises connectors to the applications that reside on the external server residing portion. *Biffar* discloses a system that creates and transfers digital vouchers and includes remote devices such as smart cards and a central server system (Col. 6, lines 33-39 and Col. 8, lines 18-40). *Biffar* also discloses that the remote devices include a memory portion for storing vouchers or the user can store some or all of the user's vouchers in an account on an external server (Col. 8, lines 60-67) and the user has the capability to establish contact with the external server and utilize applications to perform a number of different functions regarding the

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accounts (Col. 8, lines 1-18 and Col. 8 line 64-Col. 9 line 34). It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the external server application features taught by *Biffar* into the system of *Williams et al* as this feature would enable the user to manage wallet information stored on the external server.

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Bitoh discloses an IC card system in which either an on-line transaction or an off-line transaction can be made
- Gutman et al discloses an electronic wallet including a memory for storing a balance that corresponds to an account in a financial institution
- Pitroda discloses universal electronic transaction card capable of serving as a number of different credit cards, bank cards, ID cards, employee cards, etc. and is linked to a mainframe computer which stores customer account information
- Chen et al discloses a cyber wallet in the form of stored account information on a smart card and includes multiple credit cards with multiple issuers in a convenient package designed to enable the owner to make purchases over the Internet
- Carlisle et al discloses a system and method wherein consumers may purchase items by debiting any of a plurality of accounts stored on a smart card
- Williams et al [5,815,657] discloses an electronic monetary system for transactions utilizing an electronic wallet or purse used for storing money, credit cards and other forms of payment
- Jonstromer discloses an electronic transaction terminal for use in conduction financial transactions using an electronic wallet in the form of a smart card and a communications module.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Hayes whose telephone number is (703)306-5447. The examiner can normally be reached Monday through Friday from 6:30 to 3:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Todd Voeltz, can be reached on (703) 305-9714.

The Fax phone number for the **UNOFFICIAL FAX** for the organization where this application or proceeding is assigned is (703) 305-0040 (for informal or draft communications, please label "PROPOSED" or "DRAFT").

The Fax phone number for the **OFFICIAL FAX** for the organization where this application or proceeding is assigned is (703) 308-9051 or 9052 (for formal communications intended for entry).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Jwh

16 February 2000

A handwritten signature in black ink, appearing to read "Paul R. Lintz". The signature is fluid and cursive, with the first name "Paul" and last name "Lintz" clearly distinguishable.

Paul R. Lintz  
Primary Examiner